REMARKS/ARGUMENTS

Claims 1-7 and 20-32 are pending in the present application. Claims 1, 3-7, 20, 22-27 and 29-32 were amended. No claims have been added and no claims have been canceled in this Response. Reconsideration of the rejection is respectfully requested in view of the above amendments and the following comments.

I.   **35 U.S.C. § 102, Anticipation**

The Examiner has rejected claims 1, 2, 3, 6, 7, 20, 21, 22, 25, 26, 27, 28, 29, 31 and 32 under 35 U.S.C. § 102(e) as being anticipated by Rucker et al., US Patent No. 6,195,657Bl (hereinafter "Rucker"). This rejection is respectfully traversed.

In rejecting the claims, the Examiner states:

> **Claims 1, 20 and 27: Rucker** discloses in the provided screenshots a graphical user interface for use in a data processing system for facilitating data entry for cluster analysis, the graphical user interface comprising: a first area containing a plurality of lists of items (Fig. 3 and (Fig. 6: items 608, 616, 618)); a second area containing a plurality of participants [(Fig. 3: items 302, 304, 306) and (Fig. 6: items 606, 614)l; and means for corresponding a selected list to a respective one of the plurality of participants, wherein to the selected list is the one of the plurality of lists selected by the respective one of the plurality of participants (Fig. 3 and Column 5, Lines 20-64).
>
> **Claims 2, 21 and 28: Rucker** discloses the graphical user interface as recited in claims 1, 20 and 27, further comprising: means for corresponding groupings of the plurality of lists to a respective one of the plurality of participants (Fig. 6A: items 620, 660).
>
> **Claims 3, 22 and 29: Rucker** discloses the graphical user interface as recited in claims 1, 1 and 29 wherein the means for corresponding comprises an array of third areas in which the items within each list may be displayed in accordance with a selection made by a respective one of the plurality of participants (Fig. 3: items 316, 318, 320, 322, 324).
>
> **Claims 6, 25 and 31: Rucker** discloses the graphical user interface as recited in claims 1, 20 and 27, wherein the first area allows entry, display of, and direct manipulation of the items in the plurality of lists (Fig. 3: items 302, 304, 306).
>
> **Claims 7, 26 and 32: Rucker** discloses the graphical user interface as recited in claims 1, 20 and 27, wherein the means for corresponding comprises a third area having sections and entries into the sections of the third area are used to calculate similarity (Column 5, Lines 47-50) and distance matrices for cluster analysis purposes (Fig. 3: items 316, 31 8, 320, 322, 324 and Column 5, Lines 10-64)

Office Action dated June 12, 2007, pages 3-4.

Claim 1 is as follows:

> 1. A graphical user interface for use in a data processing system for facilitating data entry for cluster analysis, the graphical user interface comprising:
> a first graphical user interface area containing a plurality of lists of items;
> a second graphical user interface area containing a plurality of participants; and
> means for corresponding a selected list to a respective one of the plurality of participants, wherein the selected list is the one of the plurality of lists selected by the respective one of the plurality of participants.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond,* 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry,* 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.,* 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case each and every feature of the presently claimed invention is not identically shown in Rucker, arranged as they are in the claims, and, accordingly, Rucker does not anticipate the claims. With respect to claim 1, in particular, Rucker does not disclose or suggest a graphical user interface for facilitating data entry for cluster analysis, and does not disclose or suggest either "a first graphical user interface area containing a plurality of lists of items" or "a second graphical user interface area containing a plurality of participants."

Rucker is directed to a mechanism for determining recommendations which are likely to be relevant to a user's current tasks (see Abstract in Rucker). Rucker nowhere describes, illustrates or otherwise discusses a graphical user interface. The Examiner refers to Figures 3 and 6 of Rucker as illustrating "screenshots of a graphical user interface". Applicants respectfully disagree. Figures 3 and 6 of Rucker are not illustrations of graphical user interfaces, but, instead, are representations of data structures as is clearly stated in Rucker. For example, in the BRIEF DESCRIPTION OF THE DRAWINGS section in paragraphs 2 and 3, Rucker states "FIG. 3 is a schematic representation of the data structures of a simplified illustrative example of the present invention" and "FIG. 6 is a specific illustration of the database organization for the target example of FIG. 3". The figures are similarly described in column 4, lines 33-37; in column 10, lines 2-3 and elsewhere in Rucker.

Rucker does not disclose a graphical user interface, and certainly does not disclose or suggest a graphical user interface that comprises "a first graphical user interface area containing a plurality of lists of items" or "a second graphical user interface area containing a plurality of participants." Rucker,

accordingly, does not anticipate claim 1 and claim 1 patentably distinguishes over Rucker in its present form.

Independent claims 20 and 27 recite similar subject matter as claim 1 and are also not anticipated by Rucker for similar reasons as discussed above with respect to claim 1.

Claims 2, 3, 6, 7, 21, 22, 25, 26, 28, 29, 31 and 32 depend from and further restrict one of the independent claims, and are also not anticipated by Rucker, at least by virtue of their dependency. Furthermore, many of these claims recite additional features which are not disclosed in Rucker. For example, claim 6 recites, in part, that the first graphical user interface area allows "display" and "direct manipulation" of items. Rucker does not disclose a graphical user interface and certainly does not disclose a mechanism for allowing display and direct manipulation of items in a first graphical user interface area. Claim 6, accordingly, and corresponding claims 25 and 31, patentably distinguish over Rucker in their own right as well as by virtue of their dependency.

Claim 7 depends from claim 1 and further recites a third graphical user interface area. Inasmuch as Rucker does not disclose a graphical user interface, Rucker also does not disclose a graphical user interface having a third graphical user interface area. Claim 6, accordingly, and corresponding claims 26 and 32 also patentably distinguish over the cited art in their own right as well as by virtue of their dependency.

Therefore, the rejection of claims 1, 2, 3, 6, 7, 20, 21, 22, 25, 26, 27, 28, 29, 31 and 32 under 35 U.S.C. § 102(e) has been overcome.

II.   35 U.S.C. § 103, Obviousness (Claims 4, 23 and 30)

The Examiner has rejected claims 4, 23 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Rucker. This rejection is respectfully traversed.

In rejecting the claims, the Examiner states:

> **Claims 4, 23 and 30: Rucker** discloses the graphical user interface as recited in claims 1, 20 and 27, **Rucker** does disclose the list of items [Fig. 3 and (Fig. 6: items 608, 616, 618)] displayed in the first area corresponds to a highlighted participant [(Fig. 3: items 302, 304, 306) and (Fig. 6: items 606, 614)] in the second area. However, Official Notice is taken that it is old and well known within the computing arts to include highlighted as selected item. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include highlighted function in **Rucker**. One would have been motivated to do so in order to association between the first area [Fig. 3 and (Fig. 6: items 608, 616, 618)] and the second area [(Fig. 3: items 302, 304, 306) and (Fig. 6: items 606, 614)].

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As indicated above, Rucker does not disclose a graphical user interface, and does not disclose or suggest a graphical user interface as recited in claim 1. Notwithstanding that the

concept of highlighting may be known in the data processing field, Rucker does not, as indicated above, disclose a graphical user interface having first or second graphical user interface areas, and does not disclose a graphical user interface having a second graphical user interface area containing a plurality of participants. In Rucker, participants are stored in a data structure. There are no displayed participants in Rucker and it would not be obvious to highlight participants in Rucker.

Therefore, the rejection of claims 4, 23 and 30 under 35 U.S.C. § 103 has been overcome.

III.   **35 U.S.C. § 103, Obviousness (Claims 5 and 24)**

The Examiner has rejected claims 5 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Rucker, in view of Hill et al., US Patent No. 5,970,471 (hereinafter "Hill"). This rejection is respectfully traversed.

In rejecting the claims, the Examiner states:

> **Claims 5 and 24: Rucker** discloses the graphical user interface as recited in claims 1 and 20, wherein the participants [(Fig. 3: items 302, 304, 306) and (Fig. 6: items 606, 614)]; **Rucker** however, does not explicitly teach that the participants are arranged in a scrollable list in the second area. However, **Hill** does disclose scrollable lists (Fig. 9: item 110, 112). Therefore, it would have obvious to one having ordinary skilled in the art at the time of the invention was made to include **Hill**'s teaching of scrollable lists into that of **Rucker's** invention. One would have been motivated to this in order to scrollable lists (**Hill**: Fig. 9: item 110, 112) to be displayed on the display area.

Office Action dated June 12, 2007, page 5.

Claims 5 and 24 depend from and further restrict claims 1 and 20 respectively. Hill does not supply the deficiencies in Rucker as discussed above. Furthermore, it would not be obvious to modify Rucker to display participants in a scrollable list since Rucker does not disclose a displayed list of participants. Claims 5 and 24, accordingly, are not obvious over Rucker in view of Hill and patentably distinguish over the references in their present form.

Therefore, the rejection of claims 5 and 24 under 35 U.S.C. § 103 has been overcome.

IV. Conclusion

For at least all the above reasons, claims 1-7 and 20-32 patentably distinguish over the cited art and this application is believed to be in condition for allowance. It is, accordingly, respectfully requested that the Examiner so find and issue a Notice of Allowance in due course.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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